

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1468, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 4, line 38, delete "A".
- 2 Page 4, delete lines 39 through 42.
- 3 Page 5, delete lines 1 through 2.
- 4 Page 6, between lines 6 and 7, begin a new paragraph and insert:
- 5 "SECTION 2. IC 25-26-13-31.2 IS ADDED TO THE INDIANA
- 6 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 7 [EFFECTIVE JULY 1, 2007]: **Sec. 31.2. (a) A pharmacist may**
- 8 **administer an immunization to an individual under a drug order**
- 9 **or prescription.**
- 10 **(b) A pharmacist may administer an immunization for influenza**
- 11 **to a group of individuals under a drug order, under a prescription,**
- 12 **or according to a protocol approved by a physician if the following**
- 13 **requirements are met:**
- 14 **(1) The physician specifies in the drug order, prescription, or**
- 15 **protocol the group of individuals to whom the immunization**
- 16 **may be administered.**
- 17 **(2) The physician who writes the drug order, prescription, or**
- 18 **protocol is licensed in Indiana and not employed by a**
- 19 **pharmacy.**
- 20 **(3) The pharmacist who administers the immunization is**
- 21 **responsible for notifying, not later than fourteen (14) days**

1 after the pharmacist administers the immunization, the
2 physician who authorized the immunization and the
3 individual's primary care physician that the individual
4 received the immunization.

5 (4) If the physician uses a protocol, the protocol may apply
6 only to an individual or group of individuals who are at least:

7 (A) fourteen (14) years of age but less than eighteen (18)
8 years of age, if the pharmacist receives the consent of a
9 parent or legal guardian, and the parent or legal guardian
10 is present at the time of immunization; or

11 (B) eighteen (18) years of age.

12 (c) If the state department of health or the department of
13 homeland security determines that an emergency exists, a
14 pharmacist may administer any immunization in accordance with:

15 (1) the requirements of subsection (b)(1) through (b)(3); and

16 (2) any instructions in the emergency determination.

17 SECTION 3. [EFFECTIVE UPON PASSAGE] (a) As used in this
18 SECTION, "state department" refers to the state department of
19 health established by IC 16-19-1-1.

20 (b) The state department shall, in consultation with health care
21 providers, evaluate the current immunization data registry system
22 under IC 16-38-5 and determine ways to make the registry easier
23 for health care providers to report to and use.

24 (c) Not later than November 1, 2008, the state department shall
25 orally report to the health finance commission established by
26 IC 2-5-23-3 concerning the state department's progress under this
27 SECTION. The report must include any recommendations of the
28 state department to make the immunization data registry easier for
29 health care providers to report to and use.

30 (d) This SECTION expires December 31, 2008.

31 SECTION 4. [EFFECTIVE UPON PASSAGE] (a) As used in this
32 SECTION, "board" refers to the Indiana board of pharmacy
33 created by IC 25-26-13-3.

34 (b) The board shall study and make findings on the issue of the
35 application of technology in the dispensing of drugs, including the
36 reliance on bar code technology in long term care pharmacies. The
37 study must include the review of the use of pharmacy technicians
38 when using bar code technology.

1 (c) Not later than November 1, 2007, the board shall report to
2 the health finance commission established by IC 2-5-23-3 and the
3 legislative council regarding the board's findings under this
4 SECTION. The report to the legislative council must be in an
5 electronic format under IC 5-14-6.

6 (d) This SECTION expires December 31, 2008."

7 Page 6, line 7, after "Before" delete "July" and insert "**January**".

8 Page 6, line 12, delete "IC 25-26-13-2, as amended" and insert "**IC**
9 **25-26-13-31.2, as added**".

10 Page 6, between lines 20 and 21, begin a new line block indented
11 and insert:

12 **"(5) The pharmacist may report the immunization of each**
13 **individual to the immunization data registry maintained by**
14 **the state department under IC 16-38-5.**

15 **(6) A pharmacist may not be required to administer an**
16 **immunization or complete the accredited training program if**
17 **the pharmacist chooses not to administer any immunization."**

18 Page 6, after line 21, begin a new paragraph and insert:

19 **"SECTION 4. An emergency is declared for this act."**

20 Re-number all SECTIONS consecutively.

(Reference is to HB 1468 as printed February 14, 2007.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

Miller

Chairperson